

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SHALLEEN DAVIS,

Plaintiff,

vs.

EDUCATION SERVICE UNIT NO. 4,

Defendant.

**4:13CV3195**

**SECOND  
AMENDED PROGRESSION ORDER**

A Joint Motion to Extend Progression Order (filing #35) filed on July 8, 2014 is granted.

IT IS ORDERED that the second amended progression order is as follows:

- 1) The jury trial of this case is set to commence before John M. Gerrard, United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on **January 26, 2015**, or as soon thereafter as the case may be called, for a duration of four (4) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **January 13, 2015 at 1:00 p.m.**, and will be conducted by WebEx conferencing. To facilitate this conferencing method, the parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to [zwart@ned.uscourts.gov](mailto:zwart@ned.uscourts.gov), in either Word Perfect or Word format, by 5:00 p.m. on January 12, 2015. An email will be sent to counsel of record with the instructions and codes for participating in the pretrial conference by WebEx.
- 3) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is October 14, 2014. Motions to compel Rule 33 through 36 discovery must be filed by September 30, 2014.
- 4) The deposition deadline is October 20, 2014.
- 5) The deadline for filing motions to dismiss and motions for summary judgment is October 20, 2014.

- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is October 20, 2014.
- 7) Motions in limine shall be filed five business days prior to trial. It is not the normal practice to hold hearings on motions in limine or to rule on them in advance. Counsel should plan accordingly.
- 8) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

Dated this 10<sup>th</sup> day of July, 2014.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge